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From:	Robert Somers, Mass Media, Policy and Rules Division
To:	Secretary's Office [redacted]
DATE:	7/25/97
Subject:	Ex parte filing

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Attached are comments that should be filed as ex parte comments in MM Docket No. 9[illegible]221 and 87-8.

If you have any questions, please call me at 418-2135.

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June 25, 1997

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Ms. Karen Kornbluh
Office of Legislative Affairs
Federal Communications Commission
1919 M Street, NW, Rm 808
Washington, D.C. 20554

[redacted]

Dear Ms. Kornbluh:

Enclosed is correspondence that I have received from Mr. Scott Sanders and Mr. Steve Marks from Fox 33 WTVZ in Norfolk, Virginia, expressing their concerns regarding local marketing agreements.

I would appreciate any comment or information you may be able to provide with regard to the concerns set forth in their letters so that I may respond to Mr. Sanders and Mr. Marks in a timely manner.

Thank you in advance for your attention to this matter.

With kindest regards, I remain

Sincerely yours,

Owen Pickett

Owen Pickett
Member of Congress

OP/ek

OWEN PICKETT
VIRGINIA,
2ND DISTRICT

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Congressman Owen Pickett

FAX COVER SHEET

RETURN FAX NUMBER:
(202) 225-4218 - Washington

DATE 7/9/97 **FAX Number** 418-1662

TO: Lou Sizemore

Message:
Enclosures to June 25 letter to Karen Kornbluh. Sorry!

FROM: **Ms. Emily Keogh, Legislative Assistant**

If this FAX is not complete respond to:

O (757) 486-3710 - Virginia Beach O (757) 583-5892 - Norfolk

O (202) 225-4215 - Washington, D.C.

Total Pages, Including Cover Sheet 4

FOX 33 WTVZ

June 5, 1997

The Honorable Owen B. Pickett
2430 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Pickett:

I am writing to bring to our attention proposals at the FCC that, if enacted, possibly undermine the intent of congress and are indirect contradiction with the *Telecommunications Act of 1996 (P.L. 104-104)*. Title II Sec 202(g) of the Act grandfathered television local marketing agreements (LMA). It is our understanding the FCC Commissioners will consider a proposal at their June 19, 1997 meeting which would terminate television LMAs.

As you know, current FCC regulations prohibiting the ownership of more than one television station in a market by the same person or entity date from the early days of TV when there were few stations in each market and a scarcity of media outlets. Today, the consumer has numerous media choices (e.g., broadcast TV, cable, satellite, "wireless" cable, radio, on-line services, and print) and, as a result, the "market-share" of local TV has dwindled. Moreover, it is not unusual to have six, seven or more broadcast television stations in the same market. Larger markets have as many as fourteen local stations.

Some television stations have become competitive by entering into an LMA with another station in the same market. An LMA that has ensured financial survival for a station has meant at least one more television station can provide free, over-the-air broadcast in a specific market. Of note, existing LMAs have been arranged with the newer networks (FOX, UPN and WB), or independent stations. Clearly, the survival of these newer networks and independent stations has contributed to diversity.

Broadcasters entered into LMAs with FCC approval and in accordance with established FCC guidelines. And relying on the authority of the FCC, broadcasters have spent millions of dollars upgrading equipment and service at dozens of stations, in an attempt to make them competitive amongst the numerous existing and prospective media outlets. Many broadcasters have yet to see a return on their investments. An attempt by the FCC to terminate LMAs could prove to be a hardship on those broadcasters that invested the time, money, and resources in LMAs. This is a harsh message to send to broadcasters who now face the challenge of absorbing significant infrastructure costs in the transition to digital TV.

Sinclair Communications does not operate an LMA in Virginia. However, I request you notify the FCC that attempts to undermine the intent of Congress and violate the letter of the law cannot and will not be tolerated. I request you send a copy to me of any correspondence you send to the FCC on this subject.

I would like to thank you for your prompt attention to this matter.

Sincerely,

Scott Sanders
General Manager

FOX 33 WTVZ

June 4, 1997

Representative Owen B. Pickett
U.S. House of Representatives
2430 Rayburn House Building
Washington, DC 20515

Dear Representative Pickett:

I am writing to bring to your attention proposals at the FCC that, if enacted, possibly undermine the intent of Congress and are in direct contradiction with the *Telecommunications Act of 1996 (P.L. 104-104)*. Title II Sec 202 (g) of the Act grandfathered television local marketing agreements (LMA). It is our understanding the FCC Commissioners will consider a proposal at their June 19, 1997 meeting which would terminate television LMAs.

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900 Granby Street • Norfolk, Virginia 23510 • (804)622-3333 • Fax (804)623-1541

Sinclair Communications operates an LMA in your state. Accordingly, I request you notify the FCC that attempts to undermine the intent of Congress and violate the letter of the law cannot and will not be tolerated. I request you send a copy to me of any correspondence you send to the FCC on this subject.

I would like to thank you for your prompt attention to this matter.

Sincerely,

Steve Marks
Regional Director

SM/da